

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

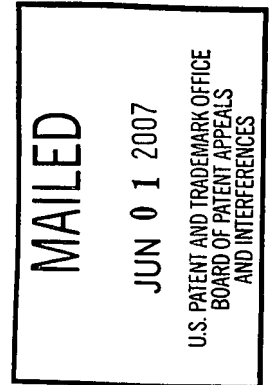
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*Ex parte* LELAND JAMES WIESEHUEGEL,  
REBECCA LYNN ROBERTS, CHARLES H. LOAR,  
and  
CARLOS JOEL CARVALHO DE FORMIGA XAVIER

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Application 09/773,197  
Technology Center 3600

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on February 23, 2007. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matter requiring attention prior to docketing is identified below.

**APPEAL BRIEF**

The Appellants filed an Amendment After-Final on August 30, 2006. It is not clear from the record the status of this Amendment. The Examiner must follow guidelines set forth in the *Manual of Patent Examining Procedure* §§ 706.07(f) and 714.13 in regards to issuing a response to an After-Final Amendment. Correction is required.

**CONCLUSION**


Accordingly, it is

*ORDERED* that the application is returned to the Examiner:

(1) to follow guidelines set forth in the *MPEP* as noted above with regard to following proper procedures for issuing an appropriate response to the After-Final Amendment received August 30, 2006; and

(2) for such further action as may be appropriate.

**BOARD OF PATENT APPEALS  
AND INTERFERENCES**

By:   
PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/hh

IBM CORPORATION (RHF)  
C/O ROBERT H. FRANTZ  
P. O. BOX 23324  
OKLAHOMA CITY, OK 73123